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**RYAN MONTGOMERY-SYTHE**  
Chief Deputy Clerk

March 17, 2021

Katherine Demarest  
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Re: *Kelly Tshibaka v. The Retired Public Employees of Alaska, Inc.*  
Supreme Court Case No. S-17577

Dear Counsel:

Chief Justice Bolger is considering the appointment of Senior Justices Matthews and Eastaugh to the panel for this appeal. Senior Justices Matthews and Eastaugh are available and willing to hear this appeal. Both Senior Justices Matthews and Eastaugh advise that they have no personal bias for or against either of the parties or their counsel in the matter, and that they have no reason to believe they cannot be fair and impartial when deciding this appeal.

However, as public retirees, they are directly impacted by the issues presented in this appeal. Senior Justices Matthews and Eastaugh therefore request that, if a party has concerns about either of them participating in the appeal, the party file an appropriate objection stating the relevant facts of the case affecting either Senior Justice Matthews's or Senior Justice Eastaugh's participation, the law supporting recusal, and why the rule of necessity would not apply.

Any objection must be filed by Monday, March 22 at 3:00 p.m., or will be considered waived. *See* Alaska Code of Judicial Conduct, Canon 3F.(3). A party's response to the other party's objection must be filed by Thursday, March 25 at 3:00 p.m.

Thank you in advance for your expedited consideration of this matter.

Sincerely,

*M. Montgomery*  
Meredith Montgomery